

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of E.D.M., S.T.O., and K.L.O.
Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KEVIN COLVIN,

Respondent-Appellant,

and

EMIL MARTIN and ACE ARMSTRONG,

Respondents.

UNPUBLISHED

January 24, 2003

No. 238430

Wayne Circuit Court

Family Division

LC No. 94-313388

Before: Cooper, P.J., and Bandstra and Talbot, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights to the minor child K.L.O., under MCL 712A.19b(3)(c)(i). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The mother voluntarily released her parental rights to K.L.O. Subsequently, a petition to terminate respondent-appellant's parental rights to this child was filed. Respondent-appellant was incarcerated throughout the proceedings below and had been incarcerated for most of the child's life. While in prison, his contact with the child was minimal and there was evidence that the child did not know respondent-appellant.

The trial court did not clearly err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, because at least one ground for termination was established, the trial court was required to terminate respondent-appellant's parental rights unless it found that termination was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462

Mich 341, 364-365; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ Jessica R. Cooper
/s/ Richard A. Bandstra
/s/ Michael J. Talbot